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Security Council Committee established pursuant to resolution 2048 (2012) concerning Guinea-Bissau

Note verbale dated 14 September 2012 from the Permanent Mission of Guatemala to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Guatemala has the honour, with reference to your communication of 28 June 2012, to transmit the attached national report from the Republic of Guatemala (see annex) on the measures taken by its Government to implement the provisions of paragraph 4 of resolution 2048 (2012).

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National report

Resolution 2048 (2012)

The Government of Guatemala is pleased to provide the following information on the implementation of the measures in paragraph 4 of Security Council resolution 2048 (2012).

In order to implement the international sanctions imposed in resolution 2048 (2012), the Ministry of Foreign Affairs of Guatemala has informed all the competent authorities of the provisions of that resolution, particularly those relating to the sanctions.

This report, prepared by the Ministry of Foreign Affairs of Guatemala, drew on contributions from the Ministry of the Interior, the Ministry of National Defence, the Public Prosecutor's Office, the Office of the Tax Administration Superintendent, the Customs Administration, the National Port Commission and the Department for Immigration.

The Ministry of the Interior informed the Ministry of Foreign Affairs that the Department for Immigration had been issued with instructions, in communication DM-1395-12/HMLB-fdl Folio 04, to implement the sanctions.

By means of memorandum 046-2012ih, the Department for Immigration issued instructions to its land, air and sea divisions responsible for immigration posts at borders, to deny entry to individuals subject to a travel ban.

The Public Prosecutor's Office noted the information, in order to be able to take action should an individual subject to the sanctions enter the country. At the recommendation of the Public Prosecutor's Office, the information was also passed on to the International Criminal Police Organization (INTERPOL) bureau for Guatemala.

Acting on that recommendation, a communication was sent to the acting head of the INTERPOL bureau for Guatemala to provide information on the sanctions; the division then issued communication Ref.Of.2546/12/C-656/2012/FRUH/dasa, requesting the Department for Immigration to establish an Immigration Alert at the borders of Guatemala.

The INTERPOL unit for the investigation of individuals informed the Ministry of Foreign Affairs on 5 September 2012 by electronic mail that, in that connection, there had been no recorded entry into or exit from the country by that date, but that notification would be provided if any of the individuals subject to sanctions attempted to enter.

The Office of the Tax Administration Superintendent indicated that, in accordance with its Organization Act and the relevant legislation, the Customs Administration had been given powers to facilitate and regulate international trade within its remit, and to collect duties associated with the arrival or departure of goods, in accordance with the various customs arrangements established. It is consequently responsible for supervising foreign trade transactions (entry and exit of goods), taking account of the Security Council resolution and considerations deriving from other Council provisions in connection with measures for which the Department for Immigration might have responsibility.

Information on the content of the Security Council resolution was passed to the National Port Commission, which in turn, by means of communication DE-048-2012 to the Manager of the Quetzal Port Authority and communication DE-049-2012 to the Director of the Santo Tomás de Castilla National Port Authority, ordered that the appropriate sanctions-related controls should be put in place through port security officials. By means of communication DE-066-2012, the department was informed of the notification given to the three port authorities: Santo Tomás de Castilla, Barrios and Quetzal.

In order to bring about compliance, the Santo Tomás de Castilla National Port Authority, through the office of the deputy director, and by means of communication No. 110-2012, provided information on the measures adopted pursuant to Order No. 604-2012. The measures are in line with the access controls and there is permanent supervision to detect intrusion into any part of the port, by means including searching of individuals, and detention and custody. All of the requirements above are put into practice in fulfilment of the International Ship and Port Facility Security Code (ISPS Code) security requirements and the provisions of the port facilities protection plan.

The Puerto Barrios port terminal, by means of communication TP-DPP-050-2012/engb, indicated that it had transmitted the communications containing information on the individuals subject to sanctions to the Port Captaincy, the Anti-Narcotics Analysis and Information Division (DAIA) and to the port security personnel working at the access forecourt and access points, and working on vessel access control to match those embarking and disembarking against a list of crew and labourers. Shipping companies have been required to dispatch a crew list in advance of the berthing of a vessel, so that it can be verified.

The Quetzal Port Authority has indicated, through the Port Facility Protection Officer, that its terminal has a 24-hour presence of Naval Police staff, who are stationed at the gangway of every berthed vessel to carry out a physical inspection of authorized personnel boarding or disembarking. Strategic points on the access channel are patrolled by boats crewed by Naval Police and port security officers in order to prevent the entry of stowaways and carry out constant monitoring of berthed vessels. Finally, staff at the port's main entrance and exit are aware of which individuals are banned from entering the country; that location is protected by joint action undertaken by the Port Captaincy, immigration officials and shipping lines.

The Ministry of National Defence, by means of communication No. 08468, informed the Ministry of Foreign Affairs that it had taken note of Security Council resolution 2048 (2012), and that in that connection it had relayed the information to the Ministry of the Interior and the Department for Immigration with a view to appropriate action and the transmission of information on dealing with individuals subject to an immigration ban.

To date, the Government of Guatemala has been informed of no requests to enter or to transit through the country from persons appearing in the annexes to Security Council resolutions or on its consolidated lists.